

II. Amendments to the Claims

This following claim listing, marked to show additions and deletions, will replace all prior claim listings.

1. (Cancelled without prejudice.)
2. (Cancelled without prejudice.)
3. (Currently amended.) A pharmaceutical and/or cosmetic product according to claim 36 [[2]] wherein the polymeric delivery system is selected from the group consisting of (a) solid microporous micro-particle copolymers of allyl methacrylate and ethylene glycol dimethacrylate, (b) compounds made by suspension polymerization of lauryl methacrylate and ethylene glycol dimethacrylate using a peroxide as a catalyst, (c) compounds made by suspension polymerization of methyl methacrylate and ethylene glycol dimethacrylate using a peroxide as a catalyst, (d) solid particles composed of a cross-linked copolymer of monoethylenically unsaturated monomers and polyethylenically unsaturated monomers and having a cross-linking density from 20% to 80%, and (e) solid particles composed of polystyrene and divinylbenzene, wherein said particles contain a continuous noncollapsible network of pores open to the exterior of said particles, are substantially spherical in shape, and have an average diameter of about 1 micron to about 100 microns, a total pore volume of about 0.01 cc/g to about 4.0 cc/g, a surface area of about 1 m²/g to about 500 m²/g, and an average pore diameter of about 0.001 micron to about 3.0 microns.
4. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the dispense means are such as to permit dispense of the first formulation in a specific ratio to the second formulation.
5. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the storage means comprise side-by-side chambers each equipped with

a dispense valve, said valves being operable by a single actuator or by adjacently disposed actuators.

6. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the storage means comprises a unit dose pouch having separate parts for each formulation.

7. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the dispense means are adapted to dispense said formulations separately.

8. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the first formulation is an aqueous topical cream or gel carrier base containing an antibacterial and/or keratolytic agent incorporated into a polymeric delivery system and the second formulation is an aqueous carrier base having substantially the same lipophilicity as the first formulation and containing a topical antibiotic.

9. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 8 wherein said keratolytic agent is a retinoid or salicylic acid.

10. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 9 wherein the retinoid is selected from the group consisting of retinol, retinoic acid, tazarotene and adapalene.

11. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 8 wherein the antibacterial agent is an organic peroxide.

12. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 11 wherein said organic peroxide is benzoyl peroxide.

13. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 8 wherein the antibacterial and/or keratolytic agent incorporated into a polymeric delivery system is selected from the group consisting of retinoids, salicylic acid and

organic peroxides and the antibiotic is selected from the group consisting of erythromycin, clindamycin or a tetracycline.

14. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 13 wherein the antibacterial and/or keratolytic agent is benzoyl peroxide and the topical antibiotic is clindamycin.
15. (Canceled without prejudice.)
16. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises as active ingredients an anti-fungal agent and a retinoid, at least one of which is incorporated into a polymeric delivery system.
17. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 16 wherein the anti-fungal agent is selected from the group consisting of undecilenic acid, miconazole, in the form of a base or nitrate, ketoconazole, iconazole, clotrimazole and the retinoid is either retinol or retinoic acid.
18. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises as active ingredients a depigmenting agent and a keratolytic agent, at least one of which is incorporated into a polymeric delivery system.
19. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises as active ingredients a depigmenting agent and a retinoid, at least one of which is incorporated into a polymeric delivery system.
20. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 19 which further comprises a corticosteroid.
21. (Previously amended.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises as active ingredients a corticosteroid and a retinoid at least one of which is incorporated into a polymeric delivery system.

22. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises as active ingredients a hair growth promoter and a retinoid or other keratolytic agent, at least one of which is incorporated into a polymeric delivery system.
23. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 36 wherein said first and second formulations have substantially the same water content.
24. (Currently amended.) A pharmaceutical and/or cosmetic product according to claim 36 [[1]] wherein said first and second formulations have substantially the same viscosity.
25. (Currently amended.) A pharmaceutical and/or cosmetic product according to claim 36 [[1]] comprising more than two active ingredient-containing formulations, each containing at least one active ingredient, for topical administration to the skin, hair or nails of a mammal, wherein at least one active ingredient in the first emulsion formulation is different from at least one active ingredient in the second emulsion formulation, together with storage means whereby each of said formulations is separately maintained prior to dispense, wherein (i) an active ingredient in at least one of said formulations is contained within a polymeric delivery system comprised of a plurality of crosslinked porous polymer particles forming a porous polymeric matrix in which is contained an active ingredient and (ii) all of said formulations comprise water-based carrier bases having substantially the same lipophilicity.
26. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 which comprises a dual or multi-chamber dispense system having an actuator which causes dispense of said formulations from one or more orifices and a closure which (i) prevents depression of the actuator or (ii) covers or seals the orifice(s) of the dispense system.
27. (Canceled without prejudice.)
28. (Canceled without prejudice.)

29. (Canceled without prejudice.)

30. (Canceled without prejudice.)

31. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the first and second active ingredient-containing formulations each has a viscosity of less than about 20,000 cps.

32. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 3 wherein the first and second active ingredient-containing formulations each has a viscosity of about 10,000 cps.

33. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 36 wherein the lipophilicities of the carrier bases of the first and second active ingredient-containing formulations differ by no more than 10%.

34. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 33 wherein the lipophilicities of the carrier bases of the first and second active ingredient-containing formulations differ by no more than 5%.

35. (Previously presented.) A pharmaceutical and/or cosmetic product according to claim 34 wherein the lipophilicities of the carrier bases of the first and second active ingredient-containing formulations differ by no more than 2.5%.

36. (Currently amended.) A pharmaceutical and/or cosmetic product comprising first and second emulsion formulations for topical administration to the skin, hair or nails of a mammal, wherein:

each emulsion formulation has a viscosity of 5,000 cps to 15,000 cps, and comprises:

- (i) a water-based carrier base, the water-based carrier bases of the first and second emulsion formulations having substantially the same lipophilicity,
- (ii) a non-aqueous phase, and
- (iii) at least one active ingredient, wherein the active ingredient in the first and second emulsions are different;

at least one of the emulsion formulations includes a non-swellable and cross-linked polymeric delivery system comprised of polymers capable of entrapping and controlling the release of at least one active ingredient, wherein the polymeric delivery system comprises about 5% to about 60% by weight of active ingredient, with the proviso that the active ingredient is not a retinoid, and comprises about 1% to about 20% when the active ingredient is a retinoid;

the pharmaceutical and/or cosmetic product further comprising storage means whereby said formulations are maintained separately prior to dispense, together with dispense means which permit said formulations to be dispensed from said storage means.